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James Dzurenda, William Gittere,
and William Reubart*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KWAUYSHAUN WILLIAMS,

Plaintiff,

v.

WILLIAM GITTERE, *et al.*,

Defendants.

Case No. 3:19-cv-00091-MMD-CLB

**MOTION FOR EXTENSION OF TIME
TO FILE MOTION FOR SUMMARY
JUDGMENT**

Defendants, James Dzurenda, William Gittere, and William Reubart, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Andrea M. Dominguez, Deputy Attorney General, hereby move this Court for an extension of time file a Motion for Summary Judgment. This Motion is made and based upon Federal Rule of Civil Procedure 6(b)(1)(A), the attached Points and Authorities, the papers, and pleadings on file herein, and such other and further information as this Court may deem appropriate.

MEMORANDUM OF POINTS AND AUTHORITIES

I. ARGUMENT

Defendants respectfully request an extension of time out from the current deadline (December 9, 2020) to file their Motion for Summary Judgment in this case. As the Court is aware, there is currently an outbreak of COVID-19 cases within the Nevada Department of Corrections (NDOC). Due to significant staffing issues, the Defendants

1 have been unable to obtain the necessary documentation from Ely State Prison (ESP).
 2 Due to the number of prison staff out on leave, Defendants have been unable to obtain the
 3 records needed for the Motion for Summary Judgment as most of the needed documents
 4 must be pulled and copied individually from the archives. Further, given that Williams
 5 has been moved quite a bit throughout the prison there are a voluminous number of
 6 documents to be tracked down and copied.

7 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as
 8 follows:

9 When an act may or must be done within a specified time, the
 10 court may, for good cause, extend the time: (A) with or without
 11 motion or notice if the court acts, or if a request is made, before
 12 the original time or its extension expires; or (B) on motion made
 after the time has expired if the party failed to act because of
 excusable neglect.

13 Defendants' request is timely and will not hinder or prejudice Williams's case. It
 14 will allow for a thorough opportunity to review the case through Summary Judgment and
 15 obtain the necessary supporting documents. It is to the benefit of both parties to obtain
 16 these records. Therefore, Williams is not prejudiced by a forty-five-day delay to obtain
 17 the documents. Defendants assert that the requisite good cause is present to warrant the
 18 requested extension of time. Therefore, the Defendants request an extension, until
 19 **January 22, 2021**, to file their Motion for Summary Judgment.

20 DATED this 8th day of December, 2020.

21 AARON D. FORD
 22 Attorney General

23 IT IS SO ORDERED.

24 Dated: December 8, 2020

25 
 UNITED STATES MAGISTRATE JUDGE

By: /s/Andrea M. Dominguez
 ANDREA M. DOMINGUEZ, Bar No. 15209
 Deputy Attorney General

Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 8th day of December, 2020, I caused to be served a copy of the foregoing, **MOTION FOR EXTENSION OF TIME TO FILE MOTION FOR SUMMARY JUDGMENT**, by U.S. District Court CM/ECF Electronic Filing to:

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An employee of the
Office of the Attorney General